

EXHIBIT 6

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

J. L. HERREN & ASSOCIATES, P.C.,

Plaintiff,

v.

MELISSA BRITTON

Defendant.

CA No. 1: 13-cv-1314 (LMB/IDD)

DECLARATION OF ERIK PALM

I, Erik Palm, under penalty of perjury, declare and state as follows:

1. My name is Erik Palm. I am over the age of 18 and am competent to testify to the matters set forth in this Declaration.

2. I am employed by the Plaintiff in this matter as Chief Financial Officer.

3. As part of my job responsibilities, I manage the information technology infrastructure for Herren. I am ultimately responsible for providing Herren employees with their laptops and phones, and for receiving them at the conclusion of their employment.

4. Melissa Britton was issued a Dell laptop to use for her Herren employment. She did not return that laptop to Herren on her final day of employment, July 16, 2013.

5. After Ms. Britton's laptop was returned, I tried to turn it on but was unable to access anything on the laptop. It was encrypted by a Dell program, and no password I had on file for Ms. Britton worked to unlock the laptop.

6. The encryption program that appeared when I turned on Ms. Britton's laptop was not installed by Herren.

7. I made several attempts to contact Ms. Britton to obtain the appropriate password to unlock her laptop, but she ignored my requests.

8. I contacted Dell and was told that they could reset the password for the laptop but that doing so would wipe the computer of all of the information it contained. I did not have them reset the password.

9. Only after Herren sued Ms. Britton did she provide us with any passwords to the laptop. The passwords she provided through her attorney did not work to unlock the laptop.

10. If the program installed on Ms. Britton's laptop had been a program she regularly used in the course of her workday, as opposed to a program she installed in order to prevent Herren from accessing the information on the laptop, it is inconceivable that she would not remember the password because she would have used it on a daily basis, at a minimum.

11. Herren engaged a forensic expert in an effort to retrieve the information off of Ms. Britton's laptop and he too was unable to bypass the encryption.

12. To date, Herren has been unable to access the laptop Ms. Britton returned, and has been unable to obtain any information on that laptop, or to determine if any information remains on that laptop.

I declare under penalty of perjury that the foregoing information is true and accurate to the best of my knowledge, information and belief.



Erik Palm

12/5/13

Date